

# EXHIBIT “2”

LITTLER MENDELSON, P.C.

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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

KELLY IRISH,

Plaintiff,

v.

TROPICAL EMERALD LLC AND RAINBOW USA,  
INC.,

Defendants.

18 CV 00082 (PKC)(SJB)

**DEFENDANTS'  
SUPPLEMENTAL  
DISCLOSURES**

Pursuant to Fed. R. Civ. P. Rule 26(a)(1) and (e) Defendants Tropical Emerald LLC and Rainbow USA, Inc. (collectively, “Defendants”) hereby make their Supplemental Disclosures supplementing their Initial Disclosures. The information disclosed herein represents only that information currently known and available to Defendants following a reasonable and diligent investigation. The information disclosed herein does not preclude Defendants from later identifying additional individuals likely to have discoverable information or additional relevant documents discovered after further investigation or discovery after these Initial Disclosures. Defendants reserve the right to supplement or to revise their Initial Disclosures as permitted under federal or local rules.

(a) The names and last known addresses and telephone numbers of the individuals likely to have discoverable information (and the subjects of that information) that Defendants may use to support their defenses to the claims in Plaintiff's June 21, 2019 Amended Complaint ("Cplt." or "Complaint"):

Name	Address/Phone	Subjects
1. Kelly Irish	c/o her attorneys	Cplt. <i>passim</i>
2. Carl Bianchi	c/o Defendants' attorneys	Cplt. <i>passim</i>
3. David Shulman	c/o Defendants' attorneys	Cplt. <i>passim</i>
4. Jonathan Hersch	c/o Defendants' attorneys	Cplt. <i>passim</i>
5. Steven Fordyce	c/o Defendants' attorneys	Cplt. <i>passim</i>
6. Dominic Marinelli	c/o Defendants' attorneys	Cplt. <i>passim</i>

7. Other current or former employees of Defendants or their affiliates including those referred to in the Complaint.

8. Individuals identified by Plaintiff in her Complaint, her mandatory initial disclosures, in her responses to Defendants' Interrogatories and Document Requests and in her deposition testimony.

9. Individuals with knowledge of Plaintiff's alleged damages and injuries asserted in the Complaint including out-of-pocket expenses she alleges she incurred and emotional distress she alleges she suffered, and Plaintiff's efforts, if any, to mitigate her damages.

10. Individuals who diagnosed and/or treated Plaintiff for her alleged disabilities, medical conditions and impairments alleged in the Complaint and alleged mental health conditions including but not limited to pre-existing conditions, emotional distress, mental anguish, humiliation, inconvenience, frustration, anxiety and individuals who have knowledge and/or records concerning said diagnoses and/or treatments and any related medications and insurance claims.

11. Individuals with knowledge of other legal proceedings involving Plaintiff including but not limited to her claims of emotional distress and damages for same she alleged in other actions including: *Irish v. 161-21 Jamaica Holding LLC et al.*, 1:18-cv-00083-ILG-RLM and *Irish v. Majestic Gerp LLC. et al.*, 1:18-cv-00307-JBW-JO.

12. Plaintiff's designated expert Jimmy Zuehl of ARCHbility disclosed May 29, 2018 and other potential expert witnesses to be identified by the parties including Dominic Marinelli.

(b) A description by category and location of all documents, electronically stored information and tangible things in Defendants' possession, custody, and control that Defendants may use to support their defenses to the claims in Plaintiff's Complaint:

The documents in Defendants' possession, custody, and control that they may use to support their defenses include all documents previously produced and/or produced herewith bearing bates stamped numbers D001 – D219, Defendants' Federal Rule 68 Offer of Judgment, any documents Defendants may produce in connection with expert disclosures and architectural drawings and/or plans for 493 Fulton Street concerning the issues raised in the Complaint. Plaintiff, her family, her attorneys and her health care providers may have emails, notes, journals, notebooks, diaries, binders, calendars, credit card receipts, tax, medical, prescription and other records that Defendants may use to support their defenses.

(c) **Computation of damages claimed by the Defendants:** Not presently applicable.

(d) **Any insurance agreements:** Defendants have produced relevant information regarding the applicable insurance agreement. See D064 – D067, D073 – D171.

Dated: New York, New York  
October 15, 2020

LITTLER MENDELSON, P.C.

By: /s/ Eric D. Witkin

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